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**VIA EMAIL**

**March 30, 2022**

Honorable Lawrence E. Kahn  
James T. Foley U.S. Courthouse  
445 Broadway, Room 424  
Albany, NY 12207-2926

Re: *Young America's Foundation v. Stenger, et al* 3:20-cv-0822 (LEK/ML)

Your Honor,

This letter is filed by my colleague Remy Green, to whose firm I am of counsel, and who joins me as co-counsel for Mr. Andrews.<sup>1</sup> As you know, I was contacted by Masai Andrews, who believed that he had been ordered by this Court not only to accept service on behalf of PLOT, an organization the existence of which he disputes, but also to appear by today as an agent of PLOT.

I requested time to gain admission to the Northern District, and to read myself into the case so as to appropriately respond. I emailed that request to Mr. Krug, who docketed it; it was stricken as I had not filed a notice of appearance. Mr. Krug then advised me to contact opposing counsel to inquire into their willingness to request time for me to appear, and I did so.

Mr. Miller very kindly called me, and raised an intriguing procedural question. In sum, he indicated that he would be willing to request time, on the condition that I concede that PLOT exists, and that I am counsel for PLOT. Unfortunately, I cannot make a substantive concession on behalf of a client I do not represent in exchange for a procedural courtesy.

Without violating privilege, I believe I can say that I have not been contacted by, spoken to, or been engaged by PLOT. I have been approached by an individual who fears that he personally has been burdened with the mantle of a group that, according to him, does not exist. I do not have any idea what the interests of PLOT are, because to my knowledge, there is nobody to express such goals to me, if such goals even exist. The sole interests I can ethically represent are those of Mr. Andrews, because those are the sole interests about which I have any knowledge. Because of the nature of the order and our (and Mr. Andrews') lack of clarity on what the Court expects of him, rather than to default, I am appearing now to protect Mr. Andrews' individual interests.

Therefore, I am requesting guidance, ideally, a conference with all parties, to clarify what the responsibilities of Mr. Andrews in fact are. If I cannot enter an appearance on behalf of Mr. Andrews, as he is a non-party, then I would like to be able to reassure him that his involvement in this matter is at an end, after having, as the Court directed, served as an agent for service on behalf of PLOT, whatever its status as an organization may be. It seems likely that PLOT will end up in default, but we do not want that default to inure to the detriment of my client.



Moira Meltzer-Cohen

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<sup>1</sup> I beg the court's indulgence in reading this letter. Mr. Green is admitted in the Northern District, as I expect to be very soon.